

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Magdalena Azmitia	Team: Squad #3	CCRB Case #: 202005961	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 08/19/2020 1:00 PM	Location of Incident: Hylan Boulevard and Linwood Avenue	Precinct: 122	18 Mo. SOL 2/19/2022	EO SOL 5/4/2022	
Date/Time CV Reported Mon, 08/31/2020 2:26 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 08/31/2020 2:26 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. DT3 Mathew Reich	00122	933211	NARCBSI

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DT3 Michael Forster	1250	952742	NARCBSI

Officer(s)	Allegation	Investigator Recommendation
A.DT3 Mathew Reich	Discourtesy: Detective Mathew Reich spoke discourteously to § 87(2)(b)	
B.DT3 Mathew Reich	Abuse: Detective Mathew Reich searched the vehicle in which § 87(2)(b) was an occupant.	
C.DT3 Mathew Reich	Abuse: Detective Mathew Reich questioned § 87(2)(b)	
D.DT3 Mathew Reich	Force: Detective Mathew Reich used physical force against § 87(2)(b)	
E.DT3 Mathew Reich	Force: Detective Mathew Reich used physical force against § 87(2)(b)	
F.DT3 Mathew Reich	Abuse: Detective Mathew Reich damaged § 87(2)(b)'s property.	
G.DT3 Mathew Reich	Force: Detective Mathew Reich used a taser against § 87(2)(b)	

Case Summary

On August 31, 2020, § 87(2)(b) filed this complaint via the CCRB online complaint submission form, in which he provided both cell phone and home phone numbers and an e-mail address. The undersigned investigator received the case on September 2, 2020.

The investigator called § 87(2)(b)'s cell phone on September 4, 2020 and left a voicemail. On the same day, the investigator called § 87(2)(b)'s home phone number and spoke with § 87(2)(b)'s father, § 87(2)(b). § 87(2)(b) stated that the phone number belonged to him and that § 87(2)(b) did not live with him. § 87(2)(b) confirmed his son's cell phone number. The investigator sent a please call e-mail to § 87(2)(b) on that same day.

On September 10, 2020, the investigator called § 87(2)(b) cell phone and left a voicemail. The investigator sent a second please call e-mail to § 87(2)(b) on September 11, 2020. On September 15, 2020, the investigator called § 87(2)(b)'s cell phone and left a voicemail informing him that the CCRB could not begin an investigation without obtaining a sworn statement regarding the incident. The investigator called § 87(2)(b) cell phone a fourth time on September 21, 2020 and left a voicemail. The investigator sent a third please call e-mail to § 87(2)(b) on the same day.

On September 21, 2020, the investigator called § 87(2)(b) who stated that § 87(2)(b) had § 87(2)(b). § 87(2)(b) noted the investigator's name and contact information and agreed to give the information to § 87(2)(b) when they spoke.

On September 24, 2020, § 87(2)(b) called the investigator and confirmed that he had a pending criminal case related to the incident and that he intended to pursue a civil suit, although he had not retained a civil attorney at the time. § 87(2)(b) opted to speak with his criminal attorney before providing a statement to the CCRB and agreed to call the investigator back after speaking with her.

The investigator called § 87(2)(b) on October 7, 2020, and during the call § 87(2)(b) stated that he could not speak at the time because he was working but agreed to call back later that afternoon. On October 14, 2020, the investigator called § 87(2)(b) a sixth time, and during the call § 87(2)(b) stated that he had spoken with his criminal attorney but had not asked her about whether he should move forward with the CCRB case. § 87(2)(b) noted that he had a criminal court appearance on October 16, 2020, during which he would speak to his criminal attorney about the CCRB case. § 87(2)(b) also stated that he was meeting with a civil attorney that afternoon and that he would speak with the civil attorney about the CCRB case as well.

On October 23, 2020, the investigator called § 87(2)(b) a seventh time and left a voicemail asking him to call back regarding his decision on whether to proceed with the CCRB case. The investigator noted in the voicemail that the case could not remain open indefinitely and asked § 87(2)(b) to call the CCRB by end of business on October 28, 2020 with his decision, otherwise the case could be closed without an investigation. To date, § 87(2)(b) has not contacted the CCRB. The investigator did not send letters to § 87(2)(b) due to work from home procedures during the Covid-19 pandemic.

On November 5, 2020, the investigator conducted searches of the Department of Correction databases for New York City and New York State and confirmed that § 87(2)(b) was not incarcerated during contact attempts.

The CCRB obtained body-worn camera (BWC) footage of this incident.

§ 87(2)(g)

Squad No.: 3

Investigator: Magdalena Azmitia Investigator Magdalena Azmitia November 6, 2020
Signature Print Title & Name Date

Squad Leader: Olga Golub SL Olga Golub 11/06/2020
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date